IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 5TH DECEMBER 2006 / 14TH AGRAHAYANA 1928

Bail Appl..No. 7161 of 2006()

B.P.1009/2006 of J.M.F.C.-I,SULTHANBATHERY
CR.NO.87/06 OF SULTHAN BATHERY EXCISE RANGE.

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PETITIONER/PETITIONER/ACCUSED:

HARIDASAN, S/O.KOCHUNARAYANAN,
AGED 38 YEARS, KUNNATHUSSERI HOUSE,
MOOKUTHIKUNNU, NOOLPUZHA, SULTHAN BATHERY.

BY ADV. SRI.P.DALBI EMMANUEL
SRI.A.T.ANILKUMAR

RESPONDENT/RESPONDENT/COMPLAINANT:

STATE OF KERALA, REP. PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
REP. BY THE EXCISE INSPECTOR
SULTHAN BATHERY EXCISE RANGE, IN CR.87/2006.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 7161 OF 2006

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DATED THIS THE 5TH DAY OF DECEMBER, 2006

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the accused in CR.No.87/06 of Sulthan Bathery Excise Range for offences punishable under Section 8(1) and 8(2) of the Abkari Act for having been found in possession of 5 liters of arrack on 12.10.2006 seeks his enlargement on bail. The petitioner surrendered on 6.11.2006.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, Sulthan Bathery and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn